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TITLE 19—CUSTOMS DUTIES

BUREAU OF CUSTOMS

[T. D. 49980]

LIST OF CUSTOMS DISTRICTS, HEADQUARTERS, AND PORTS OF ENTRY

OCTOBER 11, 1939.

To Collectors of Customs and Others Concerned:

The appended list of customs districts, headquarters, and ports of entry, previously published in T.D. 49121, August 9, 1937,¹ corrected to date, is published for the information and guidance of all concerned.²

[SEAL]

BASIL HARRIS,
Commissioner of Customs.

List of customs districts, headquarters, and ports of entry

District No. 1. Maine and New Hampshire. *Boundary.* The State of Maine and the State of New Hampshire except the County of Coos. *Ports of entry.* Portland, Maine;³ Bangor, Bar Harbor (including Mt. Desert Island, the city of Ellsworth, and the townships of Hancock, Sullivan, Sorrento, Gouldsboro, and Winter Harbor); Bath (including Booth Bay and Wiscasset); Belfast (including Searsport); Bridgewater; Calais (including townships of Calais, Robbinston and Baring); Eastport (including Lubec and Cutler); Fort Fairfield; Fort Kent; Holeb-Jackman; Houlton; Jonesport; Limestone; Madawaska; Portsmouth, N. H. (including Kittery, Me.); Rockland; Van Buren; Vanceboro.

District No. 2. Vermont. *Boundary.* The State of Vermont and the county of Coos in the State of New Hampshire. *Ports of entry.* St. Albans³ (including townships of St. Albans and Swan-

ton); Alburg; Beecher Falls; Burlington; Derby Line; Highgate Springs (including township of Highgate); Island Pond; Newport; North Troy; Richford.

District No. 4. Massachusetts. *Boundary.* The State of Massachusetts. *Ports of entry.* Boston³ (including Cambridge, Chelsea, Medford, Everett, Quincy, Somerville, Braintree, Weymouth, and Hingham, and waters adjacent thereto); Fall River; Gloucester; Lawrence; New Bedford; Plymouth; Provincetown; Salem (including Beverly, Marblehead, and Lynn); Springfield; Worcester.

District No. 5. Rhode Island. *Boundary.* The State of Rhode Island. *Ports of entry.* Providence;³ Newport.

District No. 6. Connecticut. *Boundary.* The State of Connecticut. *Ports of entry.* Bridgeport;³ Hartford; New Haven; New London.

District No. 7. St. Lawrence. *Boundary.* The counties of Clinton, Essex, Franklin, St. Lawrence, Jefferson, and Lewis in the State of New York. *Ports of entry.* Ogdensburg, N. Y.;³ Alexandria Bay; Cape Vincent; Champlain; Chateaugay; Clayton; Fort Covington; Malone; Mooers; Morristown; Roosevelttown; Rouses Point; Waddington.

District No. 8. Rochester. *Boundary.* The counties of Oswego, Oneida, Onondaga, Cayuga, Seneca, Wayne, Broome, Tompkins, Chenango, Madison, Cortland, Hamilton, Schuyler, Chemung, Herkimer, Monroe, Ontario, Livingston, Yates, Steuben, Orleans, Genesee, Wyoming, Allegany, and Tioga in the State of New York. *Ports of entry.* Rochester;³ Oswego; Sodus Point; Syracuse; Utica.

District No. 9. Buffalo. *Boundary.* The counties of Niagara, Erie, Cattaraugus, and Chautauqua in the State of New York. *Ports of entry.* Buffalo³ (including Lackawanna, Tonawanda, North Tonawanda, and east bank of Niagara River between Buffalo and Tonawanda); Dunkirk; Niagara Falls (including Lewiston).

District No. 10. New York. *Boundary.* That part of the State of New York not expressly included in the districts of

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Buffalo, Rochester, and St. Lawrence, and also the counties of Sussex, Passaic, Hudson, Bergen, Essex, Union, Middlesex, and Monmouth in the State of New Jersey. *Ports of entry.* New York, N. Y.³ (including territory described in Exec. Order of April 15, 1925, T. D. 40809); Albany, N. Y.; Newark, N. J.; Perth Amboy, N. J.

¹ 2 F.R. 1386.

² This document affects the list of districts and ports in 19 CFR 12.

³ Headquarters port for the district.



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District No. 11. Philadelphia. Boundary. That part of the State of Pennsylvania lying east of 79° west longitude, the State of Delaware, and that part of the State of New Jersey not included in district 10 (New York). *Ports of entry.* Philadelphia, Pa.³ (including Camden and Gloucester City, N. J., and territory described in Exec. Order of March 15, 1938, T. D. 49472); Chester, Pa.; Lewes, Del.; Wilmington, Del.

District No. 12. Pittsburgh. Boundary. The State of West Virginia and that part of the State of Pennsylvania lying west of 79° west longitude, except the county of Erie. *Port of entry.* Pittsburgh, Pa.³

District No. 13. Maryland. Boundary. The State of Maryland and the District of Columbia. *Ports of entry.* Baltimore, Md.³ (including Sparrows Point); Annapolis; Cambridge; Crisfield; Washington, D. C.

District No. 14. Virginia. Boundary. The State of Virginia. *Ports of entry.* Norfolk and Newport News³ (including the waters and shores of Hampton Roads); Alexandria; Cape Charles City; Petersburg; Reedville; Richmond.

District No. 15. North Carolina. Boundary. The State of North Carolina. *Ports of entry.* Wilmington³ (including Townships of Northwest, Wilmington, and Cape Fear); Beaufort; Durham; Elizabeth City; Gastonia; Morehead City; Reidsville; Winston-Salem.

District No. 16. South Carolina. Boundary. The State of South Carolina. *Ports of entry.* Charleston;³ Georgetown.

District No. 17. Georgia. Boundary. The State of Georgia except the north shore of the St. Marys River and the city of St. Marys, Ga. *Ports of entry.* Savannah;³ Atlanta; Brunswick.

District No. 18. Florida. Boundary. The State of Florida and the north bank of the St. Marys River and the city of St. Marys, Ga. *Ports of entry.* Tampa³ (including Port Tampa); Apalachicola; Boca Grande; Carrabelle; Fernandina (including St. Marys, Ga.); Jacksonville; Key West; Miami; Panama City; Pensacola; Port Everglades; Port St. Joe; St. Augustine; St. Petersburg; West Palm Beach.

District No. 19. Mobile. Boundary. The State of Alabama and that part of the State of Mississippi lying south of 31° north latitude. *Ports of entry.* Mobile, Ala.;³ Birmingham, Ala.; Gulfport, Miss.; Pascagoula, Miss.

District No. 20. New Orleans. Boundary. The State of Louisiana except the counties of Cameron and Calcasieu, and that part of the State of Mississippi lying north of 31° north latitude. *Ports of entry.* New Orleans, La.³ (including territory described in Exec. Order of May 29, 1929; T. D. 43443); Baton Rouge, La.

District No. 21. Sabine. Boundary. That part of the State of Texas from Sabine Pass north along State line to north boundary line of Shelby County; west to Neches River; down western shore of said river to north boundary of Jefferson County; westerly along said boundary to east boundary of Liberty County; south to Gulf. Also, the counties of Cameron and Calcasieu in the State of Louisiana. *Ports of entry.* Port Arthur, Tex.;³ Beaumont, Tex.; Lake Charles, La.; Orange, Tex.; Sabine, Tex.

District No. 22. Galveston. Boundary. That part of the State of Texas lying east of 97° west longitude, except the territory embraced in district 21 (Sabine). *Ports of entry.* Galveston³ (including Port Bolivar and Texas City); Dallas; Freeport; Houston.

District No. 23. San Antonio. Boundary. That part of the State of Texas lying west of 97° west longitude and east of the Pecos River. *Ports of entry.* San Antonio;³ Brownsville; Corpus Christi; Del Rio; Eagle Pass; Fort Worth; Hidalgo; Laredo; Rio Grande City; Roma.

District No. 24. El Paso. Boundary. The State of New Mexico and that part of the State of Texas lying west of the Pecos River. *Ports of entry.* El Paso, Tex.;³ Columbus, N. Mex.; Fabens, Tex.; Presidio, Tex.; Ysleta, Tex.

District No. 25. San Diego. Boundary. The counties of San Diego and Imperial in the State of California. *Ports of entry.* San Diego;³ Andrade; Calexico; San Ysidro; Tecate.

District No. 26. Arizona. Boundary. The State of Arizona. *Ports of entry.* Nogales;³ Ajo; Douglas; Naco; San Luis; Sasabe.

District No. 27. Los Angeles. Boundary. That part of the State of California lying south of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino, except the counties of San Diego and Imperial.

Ports of entry. Los Angeles³ (including San Pedro, Wilmington, and Long Beach); Port San Luis.

District No. 28. San Francisco. Boundary. That part of the State of California lying north of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino. *Ports of entry.* San Francisco-Oakland³ (including all points on San Francisco Bay); Eureka; Note: Collector of customs located at San Francisco.

District No. 29. Oregon. Boundary. The State of Oregon and that part of the State of Washington which embraces the waters of the Columbia River and the north bank of the said river west of 119° west longitude. *Ports of entry.* Portland, Ore.³ (including territory described in Exec. Order of Jan. 24, 1921; T. D. 38604); Astoria, Ore.; Longview, Wash.; Marshfield, Ore.; Newport, Ore.

District No. 30. Washington. Boundary. The State of Washington except that part which embraces the waters of the Columbia River and the north bank of the said river west of 119° west longitude. *Ports of entry.* Seattle³; Aberdeen; Anacortes; Bellingham; Blaine; Danville; Everett; Ferry; Friday Harbor; Laurier; Lynden; Metaline Falls; Molson; Nighthawk; Northport; Olympia; Oroville; Port Angeles; Port Townsend; South Bend; Spokane; Sumas; Tacoma.

District No. 31. Alaska. Boundary. The Territory of Alaska. *Ports of entry.* Juneau;³ Cordova; Craig; Eagle; Fairbanks; Hyder; Ketchikan; Petersburg; Sitka; Skagway; Unalaska; Wrangell.

District No. 32. Hawaii. Boundary. The Territory of Hawaii. *Ports of entry.* Honolulu;³ Hilo; Kahului; Mahukona; Port Allen.

District No. 33. Montana and Idaho. Boundary. The States of Montana and Idaho. *Ports of entry.* Great Falls, Mont.;³ Del Bonita, Mont.; Eastport, Idaho; Morgan, Mont.; Opheim, Mont.; Peskan, Mont.; Piegan, Mont.; Porthill, Idaho; Raymond, Mont.; Roosville, Mont.; Scobey, Mont.; Sweetgrass, Mont.; Turner, Mont.; Westby, Mont.; White-tail, Mont.; Whitlash, Mont.

District No. 34. Dakota. Boundary. The States of North and South Dakota and the county of Kittson in the State of Minnesota. *Ports of entry.* Pembina, N. Dak.;³ Ambrose, N. Dak.; Antler, N. Dak.; Carbury, N. Dak.; Crosby, N. Dak.; Dunseith, N. Dak.; Fortuna, N. Dak.; Hannah, N. Dak.; Hansboro, N. Dak.; Lancaster, Minn.; Maida, N. Dak.; Neche, N. Dak.; Noonan, N. Dak.; Northgate, N. Dak.; Noyes, Minn.; Portal, N. Dak.; Sables, N. Dak.; Sherwood, N. Dak.; St. John, N. Dak.; Walhalla, N. Dak.; Westhope, N. Dak.

District No. 35. Minnesota. Boundary. The State of Minnesota lying south of 46° north latitude. *Ports of entry.* Minneapolis;³ St. Paul.

District No. 36. Duluth and Superior. Boundary. The State of Minnesota, ex-

cept the county of Kittson, lying north of 46° north latitude, and the State of Wisconsin lying north of said latitude, and the island of Isle Royale in the State of Michigan. *Ports of entry.* Duluth, Minn., and Superior, Wis.³ (including West Superior); Ashland, Wis.; Baudette, Minn.; International Falls, Minn.; Pigeon River Bridge, Minn.; Pine Creek, Minn.; Ranier, Minn.; Roseau, Minn.; Warroad, Minn.

District No. 37. Wisconsin. Boundary. The State of Wisconsin lying south of 46° north latitude, and the city of Menominee, Michigan. *Ports of entry.* Milwaukee, Wis.;³ Green Bay, Wis.; Manitowoc, Wis.; Marinette, Wis. (including Menominee, Mich.); Racine, Wis.; Sheboygan, Wis.

District No. 38. Michigan. Boundary. The State of Michigan except the island of Isle Royale and the city of Menominee, Mich. *Ports of entry.* Detroit; Bay City; Cheboygan; Grand Haven; Grand Rapids; Port Huron; Saginaw; Sault Ste. Marie; South Haven.

District No. 39. Chicago. Boundary. The State of Illinois lying north of 39° north latitude; that part of the State of Indiana north of 41° north latitude; and the State of Iowa. *Ports of entry.* Chicago, Ill.; Peoria, Ill.

District No. 40. Indiana. Boundary. The State of Indiana lying south of 41° north latitude. *Ports of entry.* Indianapolis; Evansville; Lawrenceburg (including Greendale).

District No. 41. Ohio. Boundary. The State of Ohio, and the county of Erie in the State of Pennsylvania. *Ports of entry.* Cleveland, Ohio;³ Akron, Ohio; Ashtabula, Ohio; Cincinnati, Ohio; Columbus, Ohio; Conneaut, Ohio; Dayton, Ohio; Erie, Pa.; Sandusky, Ohio; Toledo, Ohio.

District No. 42. Kentucky. Boundary. The State of Kentucky. *Port of entry.* Louisville.³

District No. 43. Tennessee. Boundary. The States of Tennessee and Arkansas. *Ports of entry.* Memphis, Tenn.; Chattanooga, Tenn.; Nashville, Tenn.

District No. 45. St. Louis. Boundary. The States of Missouri, Kansas, and Oklahoma, and that part of the State of Illinois lying south of 39° north latitude. *Ports of entry.* St. Louis, Mo.³ (including East St. Louis, Ill.); Kansas City, Mo.; St. Joseph, Mo.

District No. 46. Omaha. Boundary. The States of Nebraska and Wyoming. *Port of entry.* Omaha, Nebr.³

District No. 47. Colorado. Boundary. The State of Colorado. *Port of entry.* Denver.³

District No. 48. Utah and Nevada. Boundary. The States of Utah and Nevada. *Port of entry.* Salt Lake City, Utah.³

District No. 49. Puerto Rico. Boundary. The Territory of Puerto Rico. *Ports of entry.* San Juan;³ Aguadilla,

Arecibo; Arroyo; Fajardo; Guanica; Humacao; Mayaguez; Ponce.

(Sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, sec. 1 (19), 45 Stat. 987; 19 U.S.C. 1, 2; President's Message March 3, 1913)

[F. R. Doc. 39-3781; Filed, October 12, 1939; 3:58 p. m.]

[T. D. 49981]

COUNTERVAILING DUTIES ON BRITISH SUGAR

T. D. 49355, ANNOUNCING THE NET AMOUNTS OF BOUNTIES OR GRANTS ON BRITISH REFINED SUGAR DECLARED PURSUANT TO THE PROVISIONS OF SECTION 303 OF THE TARIFF ACT OF 1930 AND INSTRUCTING COLLECTORS OF CUSTOMS TO COLLECT ADDITIONAL DUTIES EQUAL TO SUCH NET AMOUNTS OF BOUNTIES OR GRANTS, SUPPLEMENTED¹

To Collectors of Customs and Others Concerned:

The Bureau is in receipt of official information to the effect that a new schedule of duty payments and drawback rates on British sugar became effective on April 25, 1939. The rates now in effect grant allowances in certain instances in excess of the amounts of duties collected on the imported raw sugar.

Since the excesses of drawback over the duties collected constitute bounties within the meaning of section 303 of the Tariff Act of 1930, I have estimated, determined, and hereby declare the net amounts of such bounties per pound of refined sugar from the United Kingdom of Great Britain and Northern Ireland to be as follows:

(1) When the British drawback of customs duty is allowed at the rate of 11s 8d per cwt. of 112 pounds, the net amount of the bounty is:

1.25d minus (1.18393027d × the percentage of sucrose in imported sugar.)

(2) When the British drawback of customs duty is allowed at the rate of 7s 4.7d per cwt. of 112 pounds, the net amount of the bounty is:

.79196429d minus (.74963368d × the percentage of sucrose in imported sugar.)

(3) When the British drawback of customs duty is allowed at the rate of 3s 11.4d per cwt. of 112 pounds, the net amount of the bounty is:

.42321429d minus (.41163764d × the percentage of sucrose in imported sugar.)

Collectors of customs, therefore, will collect additional duties on British refined sugar equal to the net amounts of the bounties or grants in accordance with the rate or rates applicable as set

¹ This document affects the tabulation in 19 CFR 14.22.

forth above when imported directly or indirectly and entered for consumption, or withdrawn from warehouse for consumption, after the publication of this decision in the weekly Treasury Decisions.

The declarations of bounty herein published are supplemental to those published in T. D. 49355³ which declarations remain in full force and effect in respect of sugar imported from Great Britain and Northern Ireland upon which drawback was paid at any of the rates specified therein.

Consular invoices covering refined sugar produced in the United Kingdom and imported into the United States shall show the rate or rates of the drawback claimed or allowed, or to be claimed or allowed, thereon. (Sec. 303, 46 Stat. 687; 19 U.S.C., 1303)

[SEAL]

BASIL HARRIS,

Commissioner of Customs.

Approved, October 10, 1939.

HERBERT E. GASTON,

Acting Secretary of the Treasury.

[F. R. Doc. 39-3782; Filed, October 12, 1939; 3:58 p. m.]

TITLE 29—LABOR

WAGE AND HOUR DIVISION

PART 523—REGULATIONS APPLICABLE TO EMPLOYMENT OF MESSENGERS

The following amendment to Regulations—Part 523¹ (Regulations Applicable to Employment of Messengers Pursuant to Section 14 of the Fair Labor Standards Act) is hereby issued. This amendment adds a new Section 523.11 and shall become effective upon my signing the original and upon the publication thereof in the FEDERAL REGISTER, and shall be in force and effect until repealed by regulations hereafter made and published.

Signed at New York, N. Y., this 13th day of October 1939.

ELMER F. ANDREWS,
Administrator.

§ 523.11 *Delegation.* Whenever it shall appear that the review procedure provided in Section 523.9 of these regulations will cause undue delay in arriving at a determination or decision, the Administrator may delegate the authority vested in the Administrator to make the determination or decision to the Deputy Administrator, any one of the Assistant Administrators, or the General Counsel. Action so taken by such persons shall not be subject to review by the Administrator under Section 523.9 of these regulations.

[F. R. Doc. 39-3787; Filed, October 13, 1939; 1:14 p. m.]

¹ 3 F.R. 2484 DI.

² 3 F.R. 241 DI.

PART 516—REGULATIONS ON RECORDS TO BE KEPT BY EMPLOYERS

The following amendment to Regulations, Part 516¹ (Regulations on Records To Be Kept by Employers Pursuant to Section 11 (c) of the Fair Labor Standards Act) is hereby issued. This amendment amends Section 516.1 of said regulations and shall become effective upon my signing the original and upon the publication thereof in the FEDERAL REGISTER, and shall be in force and effect until repealed by regulations hereafter made and published.

Signed at New York, N. Y., this 13th day of October 1939.

ELMER F. ANDREWS,
Administrator.

§ 516.1 *Records required.* Every employer subject to any provisions of the Fair Labor Standards Act or any order issued under this act shall make and preserve records containing the following information with respect to each person employed by him, with the exception of those specified in sections 13 (a) (3), 13 (a) (4), 13 (a) (5), 13 (a) (6), 13 (a) (8), 13 (a) (9), and 13 (a) (10) of the act:

- (a) Name in full.
- (b) Home address.
- (c) Date of birth if under 18.
- (d) Hours worked each workday and each workweek.
- (e) Regular rate of pay and basis upon which wages are paid.²
- (f) Wages at regular rate of pay for each workweek, excluding extra compensation attributable to the excess of the overtime rate over the regular rate.³
- (g) Extra wages for each workweek attributable to the excess of the overtime rate over the regular rate.³
- (h) Additions to cash wages at cost, or deductions from stipulated wages in the amount deducted or at the cost of the item for which deduction is made, whichever is less.³
- (i) Total wages paid for each workweek.
- (j) Date of payment.

Provided, however, That with respect to employees specified in section 13 (b) of the act, records referred to in paragraphs (f) and (g) of this section shall not be required; and

¹ F. R. 2533 DI.

² These three items of information are only required when overtime is worked by the employee.

³ This information is required only where the cash wage actually paid is less than the minimum wage required by the Act. The reasonable cost of board, lodging, and other facilities as part of wages, is defined and delimited by regulations of the Wage and Hour Division: Part 531—(Regulations determining the reasonable cost of board, lodging and other facilities pursuant to sec. 3 (m) of the Fair Labor Standards Act). This matter is dealt with further in Interpretative Bulletin No. 3 of the Wage and Hour Division.

Provided further, That with respect to employees who are specified in section 13 (a) (2) of the act and employees who are defined in regulations of the Wage and Hour Division: Part 541 (Regulations defining and delimiting the terms "any employee employed in a bona fide executive, administrative, professional, or local retailing capacity, or in the capacity of outside salesman" pursuant to sec. 13 (a) (1) of the Fair Labor Standards Act)—employers need make and preserve records containing the following information only:

- (a) Name in full.
- (b) Home address.
- (c) Occupations.

Provided further, That with respect to employees employed or purported to be employed by an employer in pursuance of the provisions of section 7 (b) (1) or section 7 (b) (2) of the Fair Labor Standards Act, employers shall comply with each of the following additional requirements:

(a) Keep and preserve a copy of each collective bargaining agreement which entitles or purports to entitle an employer to employ any of his employees in pursuance of the provisions of section 7 (b) (1) or section 7 (b) (2) of the Fair Labor Standards Act.

(b) Report and file with the Administrator at Washington, D. C., within thirty days after such collective bargaining agreement has been made, a copy of each such collective bargaining agreement. Likewise, a copy of each amendment or addition thereto shall be reported and filed with the Administrator at Washington, D. C., within thirty days after such amendment or addition has been agreed upon. If any such collective bargaining agreement, or amendment or addition thereto, was made prior to the 25th day of April, 1939, a copy thereof shall be reported and filed with the Administrator at Washington, D. C., on or before the 26th day of May, 1939. The reporting and filing of any collective bargaining agreement or amendment or addition thereto shall not be construed to mean that such collective bargaining agreement or amendment or addition thereto is a collective bargaining agreement within the meaning of the provisions of Section 7 (b) (1) or Section 7 (b) (2).

(c) Make and preserve a record designating each employee employed pursuant to each such collective bargaining agreement and each amendment and addition thereto.

*Provided further,*⁴ That with respect to employees employed in occupations in

⁴ Whether a contract requiring employees to account for tips is legal is a question for the courts to decide. The Wage and Hour Division is not taking a position on this question but is requiring records that will protect both employer and employee whatever the ultimate judicial decision on the validity of such a contract may be.

the performance of which the employee receives tips or gratuities from third persons which are accounted for or turned over by the employee to the employer, additional records containing the following information with respect to each such employee shall be made and preserved by the employer:

(a) Total hours worked each workweek in occupations in the performance of which the employee receives tips or gratuities from third persons.

(b) Total hours worked each workweek in any other occupation.

(c) Wages paid each workweek for hours worked under (a) above; *Provided, however,* That if the employer claims as "wages paid" the amount of any gratuities or tips voluntarily paid to the employee by third persons and accounted for or turned over by the employee to the employer, such amounts must be recorded in a separate column from that in which any other compensation is recorded.

(d) Wages paid each workweek for hours worked under (b) above; *provided, however,* that if the employer claims as "wages paid" the amount of any gratuities or tips voluntarily paid to the employee by third persons and accounted for or turned over by the employee to the employer, such amounts must be recorded in a separate column from that in which any other compensation is recorded.*

[F. R. Doc. 39-3786; Filed, October 13, 1939; 1:14 p. m.]

Notices

WAR DEPARTMENT.

EXAMINATION FOR APPOINTMENT IN THE DENTAL CORPS, REGULAR ARMY

1. An examination of applicants for appointment as first lieutenants, Dental Corps, Regular Army, will be held within the continental limits of the United States from February 12 to 17, 1940, inclusive.

2. Applications and requests for information concerning this examination should be addressed to The Adjutant General.

3. Applications received after January 27, 1940, will not be considered. (Sec. 24, 41 Stat. 774; 10 U.S.C. 122, 123) [W.D., Cir. 73, September 25, 1939]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 39-3783; Filed, October 13, 1939; 9:38 a. m.]

* (This Section 516.1 as amended, issued under the authority contained in section 11 (c), 52 Stat. 1060.)

DEPARTMENT OF AGRICULTURE.

Division of Marketing and Marketing Agreements.

[Docket No. A-105-1 O-105-1]

NOTICE OF REOPENING OF HEARING HELD ON AUGUST 2, 3, AND 4, 1939, WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF MILK IN THE QUAD CITIES MARKETING AREA

Whereas, pursuant to the provisions of Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, and of the General Regulations, Series A, No. 1, as amended,¹ of the Agricultural Adjustment Administration, United States Department of Agriculture, the Secretary of Agriculture held a hearing² at Rock Island, Illinois, on August 2, 3, and 4, 1939, in connection with a proposed marketing agreement and a proposed order regulating the handling of milk in the area comprised of the cities of Davenport and Bettendorf, Iowa, and Rock Island, Moline, East Moline, and Silvis, Illinois, and the following townships: Davenport, Rockingham, and Pleasant Valley in Scott County, Iowa, and South Moline, Moline, Blackhawk, Coal Valley, Hampton, and South Rock Island in Rock Island County, Illinois, which area is known as the Quad Cities marketing area; and

Whereas, the Secretary desires further information as to the economic conditions existing in said area affecting the necessity for regulation:

Now, therefore, notice is hereby given of the reopening of said hearing at the Fort Armstrong Hotel, Rock Island, Illinois, at 10:00 a. m., c. s. t., on October 18, 1939.

This reopening is for the purpose of receiving additional evidence as to the general economic conditions affecting the demand for and supply of milk in the marketing area as such economic conditions may have been changed since the original public hearing by virtue of the passage of a public health ordinance for the city of Davenport, Iowa, and by reason of recent European developments.

Copies of the proposed marketing agreement and proposed order considered at the hearing on August 2, 3, and 4, may be procured from the Hearing Clerk, Office of the Solicitor, in Room 0310 South Building, United States Department of Agriculture, Washington, D. C., or may be there inspected.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

OCTOBER 12, 1939.

[F. R. Doc. 39-3779; Filed, October 12, 1939; 1:06 p. m.]

¹ 1 F. R. 155.² 4 F. R. 3307 DI.

[Docket No. A-115 O-115]

NOTICE OF HEARING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF ONIONS GROWN IN THE STATE OF COLORADO

Whereas, under Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, notice of hearing is required in connection with a proposed marketing agreement or a proposed order, and the General Regulations, Series A, No. 1, as amended,¹ of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for such notice; and

Whereas, the Secretary of Agriculture has reason to believe that the execution of a marketing agreement and the issuance of an order will tend to effectuate the declared policy of said act with respect to such handling of onions grown in the State of Colorado as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects such commerce:

Now, therefore, pursuant to the said act and said general regulations, notice is hereby given of a hearing to be held on a proposed marketing agreement and a proposed order regulating such handling of onions grown in the State of Colorado, in the District Court Room, Pueblo County Court House, Pueblo, Colorado, at 9:30 a. m., m. s. t., October 20, 1939.

This public hearing is for the purpose of receiving evidence as to the general economic conditions which may necessitate regulation in order to effectuate the declared policy of the act and as to the specific provisions which a marketing agreement and order should contain.

The proposed marketing agreement and the proposed order each provides, in similar terms, a plan for the regulation of such handling of the aforesaid onions as is in the current of interstate or foreign commerce, or which directly burdens, obstructs, or affects such commerce. Among other matters relating to such regulation, the proposed marketing agreement and order provide for: (a) the establishment of an Administrative Committee consisting of producer members and handler members; (b) regulation of shipments of any variety or varieties of onions by grades or sizes or combinations thereof; (c) inspection of shipments by an authorized representative of the Federal-State Inspection Service during periods when regulation is in effect; (d) levying of assessments by the Administrative Committee to cover expenses of administration; and (e) reports to the Administrative Committee by handlers.

It is hereby declared that an emergency exists in the handling of onions in the aforesaid area, and that a shorter

¹ 1 F. R. 155.

period of notice than fifteen (15) days is therefore required; and it is hereby determined that the period of notice given is reasonable under the circumstances.

Copies of the proposed marketing agreement and order may be procured from the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, in Room 0310 South Building, Washington, D. C., or may be there inspected.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

October 12, 1939.

[F. R. Doc. 39-3780; Filed, October 12, 1939; 1:06 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

APPLICATION OF THE POSTAL TELEGRAPH LANDLINE SYSTEM AND SUNDRY OTHER PARTIES FOR PERMISSION TO EMPLOY MESSENGERS AT WAGE RATES LESS THAN THE APPLICABLE MINIMUM WAGE

FURTHER NOTICE OF HEARING AND CHANGE OF HEARING DATE

Whereas, application has been made by the Postal Telegraph Landline System and sundry other parties under Section 14 of the Fair Labor Standards Act of 1938 and regulations (Part 523—Regulations Applicable to the Employment of Messengers pursuant to Section 14 of the Fair Labor Standards Act—Title 29, Labor, chapter 5, Wage and Hour Division) issued by the Administrator thereunder for permission to employ messengers at wages less than the applicable minimum wage specified in Section 6 of the Act; and

Whereas, a notice was published October 10, 1939 giving notice¹ of a hearing to be held on the aforesaid application on October 25, 1939 before Merle D. Vincent; and

Whereas, it has appeared that the hearing should be held at an earlier date and that a final determination is desired and should be arrived at at the earliest possible date;

Now, therefore, pursuant to the Act and the regulations, the earlier notice published October 10, 1939 is amended and notice is hereby given of a public hearing to be held on said application at 2nd floor Association of the Bar Building, 42 W. 44th Street, New York City to commence at 10:00 a. m., on Oct. 20, 1939, to take testimony for the purpose of determining whether it is necessary, in order to prevent curtailment of opportunities for employment, to provide for the employment of messengers (employed exclusively in delivering letters and messages) in the landline telegraph industry at wage rates lower than the

¹ 4 F. R. 4207 DI.

minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938, and, if such necessity is found to exist, to determine at what wages lower than the minimum wage applicable under Section 6, such employment of messengers in the landline telegraph industry shall be permitted, and with what limitations as to time, number, proportion and length of service. The hearing is not limited to petitioner, Postal Telegraph Landline System, but will cover the entire landline telegraph industry.

At this hearing, opportunity will be afforded to any interested person to present evidence relevant to the foregoing inquiry, provided such person files with George A. McNulty by noon October 19, 1939, a notice of intention to appear containing the following information:

(1) The name and address of the person appearing.

(2) If he is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

(3) Whether he is appearing in support of or in opposition to the application for exemption.

(4) The approximate length of time which his presentation will consume.

Pursuant to authority vested in the Administrator by the Fair Labor Standards Act of 1938, George A. McNulty is hereby designated as presiding officer to conduct the said hearing and to determine whether it is necessary in order to prevent curtailment of opportunities for employment, to provide for the employment of messengers (employed exclusively in delivering letters and messages) at wage rates lower than the minimum wage applicable under Section 6 of the Act, and if such necessity is found to exist, to determine at what wages lower than the minimum wage applicable under Section 6, such employment of messengers shall be permitted, and with what limitations as to time, number, proportion, and length of service.

The determination of the presiding officer shall be final and not subject to review under Section 523.9 of the aforesaid regulations.

Signed at New York, N. Y., this 13th day of October 1939.

ELMER F. ANDREWS,
Administrator.

[F. R. Doc. 39-3788; Filed, October 13, 1939; 1:13 p. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

[Docket No. 3693]

IN THE MATTER OF MOSKIN STORES, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That Lewis C. Russell, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, October 27, 1939, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York City, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission:

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-3784; Filed, October 13, 1939; 10:00 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of October, A. D. 1939.

Commissioners: Robert E. Freer, Chairman; Garland S. Ferguson, Charles H. March, Ewin L. Davis, William A. Ayres.

[Docket No. 3762]

IN THE MATTER OF AUTOMATIC RADIO MANUFACTURING COMPANY, INC., GAL- VIN MANUFACTURING CORPORATION, FER- GUSON RADIO AND TELEVISION COM- PANY, INC., AND PEP BOYS—MANNY, MOE AND JACK, INC.

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

It is ordered, That Lewis C. Russell, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, October 23, 1939, at ten o'clock in the forenoon of that day (eastern standard time) in Room 110, Federal Building, Philadelphia, Pennsylvania.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission:

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 39-3785; Filed, October 13, 1939; 10:00 a. m.]